

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	CRIMINAL NO. 1:CR-01-131-01
)	
v.)	(Judge Rambo)
)	
LESLIE CARD AND)	(ELECTRONICALLY FILED)
JULIAN ARTHUR)	

UNOPPOSED MOTION TO DELAY INITIAL APPEARANCE

AND NOW, comes the government through Christy H. Fawcett, Assistant U.S. Attorney, and files the within Unopposed Motion to Delay Initial Appearance:

1. The defendants are charged with criminal conspiracy to commit mail fraud and related charges.

2. The defendants are the subject of an extradition request from the Department of Justice seeking their extradition from Canada. This request has been pending since 2001.

3. Recently, the Canadian government ordered that the defendants be extradited and directed that they be released to the United States Marshal at a specified time.

4. Due to the specific direction of the Canadian government, the defendants will be returned to the Middle District of Pennsylvania during the weekend preceding the Christmas holiday.

5. Monday, December 24, 2007, is also a holiday for federal employees.

6. Both Dave Kluz, Esquire, counsel for Julian Arthur, and Guillermo Bosch, Esquire, counsel for Leslie Card, are traveling home from the Christmas holiday on December 26, 2007.

7. Because of the lengthy extradition proceedings that have occurred in this case, both defendants have attended numerous hearings in Canada, are familiar with the nature of the charges against them, and have consulted at length with both U.S. and Canadian counsel.

8. Both defendants have signed plea agreements and are scheduled to enter guilty pleas at 3 p.m., December 27, 2007.

9. Neither Attorney Kluz nor Attorney Bosch oppose the government's request.

WHEREFORE, the government requests that the Court enter an order delaying the initial appearance and arraignment of both defendants until 3 p.m., December 27, 2007.

Respectfully submitted,

MARTIN C. CARLSON
Acting United States Attorney

s/Christy H. Fawcett
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

That this 17th day of December 2007, she served a copy of the attached

UNOPPOSED MOTION TO DELAY INITIAL APPEARANCE

by electronic means by sending a copy to each of the e-mail addresses stated below:

David T. Kluz
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s/Christina L. Garber
CHRISTINA L. GARBER
Legal Assistant